

Attorney Docket No. 03164.0200USWO

MERCHANT & GOULD P.C.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: A PROCESS FOR UPGRADING AN ORE OR CONCENTRATE

The specification of which

a. ☐ is attached hereto

b. ☒ was filed on as application serial no. and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. PCT/AU2004/000939 filed July 12, 2004 and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☐ no such applications have been filed.

b. ☒ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
Australia	2003903741	18 July 2003	
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
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U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

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I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

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(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application:

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the attorney(s) and/or patent agent(s) associated with the following customer number to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.




I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2 0 1	Full Name Of Inventor	Family Name FREEMAN	First Given Name Paul	Second Given Name Christopher
	Residence & Citizenship	City Woodvale	State or Foreign Country Western Australia	Country of Citizenship Australia
	Mailing Address	Address 15 Grey-Smith Gardens	City Woodvale	State & Zip Code/Country Western Australia 6026/Australia
Signature of Inventor 201: 			Date: 1-4-06	
2 0 2	Full Name Of Inventor	Family Name BRYANT	First Given Name Sally	Second Given Name Elizabeth
	Residence & Citizenship	City Roxby Downs	State or Foreign Country South Australia	Country of Citizenship Australia
	Mailing Address	Address 5B Melaleuca Court	City Roxby Downs	State & Zip Code/Country South Australia 5725/Australia
Signature of Inventor 202:			Date:	
2 0 3	Full Name Of Inventor	Family Name NEWMAN	First Given Name Oliver	Second Given Name Michael Griffiths
	Residence & Citizenship	City Woodville	State or Foreign Country New South Wales	Country of Citizenship Australia
	Mailing Address	Address 7 Glenurie Close	City Woodville	State & Zip Code/Country New South Wales 2321/Australia
Signature of Inventor 203:			Date:	

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23552

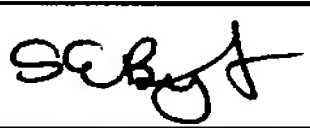
PATENT TRADEMARK OFFICE

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0	Residence & Citizenship	City Woodvale	State or Foreign Country Western Australia	Country of Citizenship Australia
1	Mailing Address	Address 15 Grey-Smith Gardens	City Woodvale	State & Zip Code/Country Western Australia 6026/Australia
Signature of Inventor 201:				Date:
2	Full Name Of Inventor	Family Name BRYANT	First Given Name Sally	Second Given Name Elizabeth
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Signature of Inventor 202: 				Date: 15/2/2006
2	Full Name Of Inventor	Family Name NEWMAN	First Given Name Oliver	Second Given Name Michael Griffiths
0	Residence & Citizenship	City Woodville	State or Foreign Country New South Wales	Country of Citizenship Australia
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Signature of Inventor 203:				Date:

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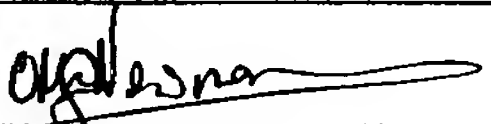


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Signature of Inventor 201:			Date:	
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	Residence & Citizenship	City Roxby Downs	State or Foreign Country South Australia	Country of Citizenship Australia
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	Residence & Citizenship	City Woodville	State or Foreign Country New South Wales	Country of Citizenship Australia
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Signature of Inventor 203: 			Date: 30/01/2006	